


NOTICE OF PENDING LEGISLATION		DATE
		LEGISLATIVE BILL NO. H.R. 6590
SECTION I GENERAL		
TO :		FROM: LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL
THE ATTACHED BILL, WHICH HAS BEEN INTRODUCED INTO CONGRESS, IS:		
<input type="checkbox"/> SENT TO YOU FOR INFORMATION ONLY.		
<input type="checkbox"/> A BILL ON WHICH FAVORABLE CONGRESSIONAL ACTION <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT PREDICTED.		
<input checked="" type="checkbox"/> SENT FOR YOUR COMMENT AS TO WHETHER IT IS OF INTEREST TO CIA ACTIVITIES, AND WHETHER FURTHER ACTION BY THIS OFFICE IS NECESSARY OR DESIRED.		
IT IS REQUESTED THAT COMMENTS CONCERNING THIS LEGISLATION BE FORWARDED, THROUGH APPROPRIATE CHANNELS, TO THIS OFFICE, BY _____		
SECTION II COMMENTS (From Original Addressee)		
TO : LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL		FROM:
19 July 1955		84/1
AN ACT  To prohibit the employment by the Government of the United States of persons who are disloyal or who participate in or assert the right to strike against the Government of the United States, and for other purposes.		
Distribution:		
House Report No. 1152 <i>Passed House, 7/18/55</i> <i>S Kpt 1256</i> <i>Det 9 Aug '55</i> <i>Passed Senate 30 July '55</i> <i>Public Law 330</i> <i>dat. 18 Aug '55</i>		
<i>3. Dir of Pers</i> <i>1. Security</i> <i>1. DDS - Lloyd</i>		
DATE OF COMMENTS	SIGNATURE AND TITLE	EXTENSION

NOTICE OF PENDING LEGISLATION		DATE	6 August 1955
		LEGISLATIVE BILL NO.	H. R. 6590
SECTION I		GENERAL	
TO : <del>Director of Personnel</del> Director of Security DDS - Mr. Lloyd		FROM: LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL	
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<input type="checkbox"/> SENT TO YOU FOR INFORMATION ONLY.			
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SECTION II		COMMENTS (From Original Addressee)	
TO : LEGISLATIVE COUNSEL OFFICE OF GENERAL COUNSEL		FROM: Sheffield Edwards Director of Security	
<p>A review of H.R. 6590 and Report No. 1152 reveals that there would be no particular effect on CIA activities by this bill. No further action by your office is necessary.</p>			
<div style="text-align: right;">STATINTL</div> <div style="text-align: center;">         Sheffield Edwards        Director of Security     </div>			
DATE OF COMMENTS		SIGNATURE AND TITLE	
FORM NO. 1199 REPLACES FORM 23-3		EXTENSION	

Public Law 330 - 84th Congress  
Chapter 690 - 1st Session  
H. R. 6590

AN ACT

To prohibit the employment by the Government of the United States of persons who are disloyal or who participate in or assert the right to strike against the Government of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no person shall accept or hold office or employment in the Government of the United States or any agency thereof, including wholly owned Government corporations, who—

Government em-  
ployment.  
Disloyalty pro-  
hibition, etc.

(1) advocates the overthrow of our constitutional form of government in the United States;

(2) is a member of an organization that advocates the overthrow of our constitutional form of government in the United States, knowing that such organization so advocates;

(3) participates in any strike or asserts the right to strike against the Government of the United States or such agency; or

(4) is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or such agencies, knowing that such organization asserts such right.

Sec. 2. (a) Except as provided in subsection (b), every person who accepts office or employment in the Government of the United States after the date of enactment of this Act, shall, not later than sixty days after he accepts such office or employment, execute an affidavit that his acceptance and holding of such office or employment does not or (if the affidavit is executed prior to acceptance of such office or employment) will not constitute a violation of the first section of this Act. Such affidavit shall be considered prima facie evidence that the acceptance and holding of office or employment by the person executing the affidavit does not or will not constitute a violation of such section.

Affidavit.

69 Stat. 624.

69 Stat. 625.

(b) An affidavit shall not be required from a person employed by the Government of the United States for less than sixty days for sudden emergency work involving the loss of human life or the destruction of property. This subsection shall not relieve any person from liability for violation of the first section of this Act.

Emergency work.

Sec. 3. Any person who violates section 1 of this Act shall be guilty of a felony, and shall be fined not more than \$1,000 or imprisoned not more than one year and a day, or both.

Penalty.

Repeals.

Sec. 4. The following parts of Acts are hereby repealed:

(1) Section 612 of the Housing Act of 1949 (42 U. S. C., sec. 1445);  
(2) Section 9A of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (5 U. S. C., sec. 118j);  
and

63 Stat. 444.

53 Stat. 1148.

(3) Section 305 of the Labor Management Relations Act, 1947, as amended (29 U. S. C., sec. 188).

61 Stat. 160.

Approved August 9, 1955.

## Calendar No. 1273

84TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
No. 1256 }

PROHIBITING THE EMPLOYMENT BY THE GOVERNMENT OF THE  
UNITED STATES OF PERSONS WHO ARE DISLOYAL OR WHO  
PARTICIPATE IN OR ASSERT THE RIGHT TO STRIKE AGAINST  
THE GOVERNMENT OF THE UNITED STATES

JULY 29, 1955.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office  
and Civil Service, submitted the following

### R E P O R T

[To accompany H. R. 6590]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 6590) to prohibit the employment by the Government of the United States of persons who are disloyal or who participate in or assert the right to strike against the Government of the United States, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### STATEMENT

Report No. 1152 accompanying H. R. 6590, as approved by the House of Representatives, is incorporated as a part of this report:

This legislation will clarify and consolidate in a single, permanent, penal statute the rider reenacted each year in appropriation acts, as well as certain similar permanent provisions in existing law, which in effect prohibit the employment by the Government of (1) any person who advocates overthrow of our constitutional form of government or belongs to an organization that so advocates, and (2) any person who strikes against the Government or belongs to an organization of Government employees that asserts the right to strike against the Government.

The appropriation rider first appeared in the Fourth Supplemental National Defense Appropriation Act, 1941, without the language relating to striking against the Government. With seven exceptions, it was repeated in each regular deficiency, and supplemental appropriation act through May 18, 1946. The Third Urgent Deficiency Appropriation Act, 1946, broadened the rider to include any person who strikes against the Government or who is a member of an organization which asserts the right to strike against the Government. With three exceptions, the rider as thus broadened has been repeated all in subsequent regular, deficiency, and supplemental appropriation acts to date.

Existing law also contains three permanent provisions which are somewhat similar, in effect, to the appropriation rider. They are (1) section 612 of the Housing

## 2 PROHIBITING EMPLOYMENT OF PERSONS WHO ARE DISLOYAL

Act of 1949 (42 U. S. C., sec. 1445); (2) section 9A of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939 (5 U. S. C., sec. 113j), known as the Hatch Act; and (3) section 305 of the Labor-Management Relations Act, 1947, as amended (29 U. S. C., sec. 188), known as the Taft-Hartley Act.

Section 612 of the Housing Act of 1949 is repeated, in substance, in paragraphs 1 through 4, inclusive, of the first section of H. R. 6590.

Section 9A of the Hatch Act prohibits employment of persons who are members of "any political party or organization which advocates the overthrow of our constitutional form of government in the United States."

This provision is reenacted in paragraph 2 of the first section of H. R. 6590.

Section 305 of the Taft-Hartley Act requires the discharge of persons who strike against the Government. This is repeated in paragraph (3) of the first section of the bill.

Accordingly, since H. R. 6590 includes all of these provisions of existing law such provisions will be repealed.

Hearings were held at which representatives of the Civil Service Commission, the Department of Justice, and a number of Government employees' organizations appeared and testified favorably on H. R. 6590. There were no objections.

### GENERAL ANALYSIS

The first section of the bill, as amended, will prohibit the employment in the Federal Government, or in any agency thereof, of any person who (1) advocates the overthrow of our constitutional form of government in the United States; (2) is a member of an organization that advocates overthrow of the Government, knowing of such advocacy; (3) participates in any strike against the Government or any such agency; (4) asserts the right to strike against the Government; or (5) belongs to an organization of Government employees that asserts the right to strike against the Government, or against such agencies, knowing that such organization asserts such right to strike.

Section 2 (a) of the bill requires that, except as provided in subsection (b), every person accepting Federal office or employment, within 60 days after entering on duty, shall execute an affidavit that in doing so he does not violate the first section of the bill. The affidavit will be prima facie evidence that there is no such violation.

Section 2 (b) provides that an affidavit will not be required from a person employed for less than 60 days for sudden emergency work involving the loss of life or destruction of property, but that this exception will excuse no one from liability for violation of the first section of the bill.

Section 3 makes any violation of the first section of the bill a felony, for which the penalty shall be a fine of not more than \$1,000 or imprisonment for not more than 1 year and a day, or both.

The favorable report of the Civil Service Commission and the report of the Department of Justice interposing no objections to a similar bill (H. R. 617) follow:

UNITED STATES CIVIL SERVICE COMMISSION,  
Washington, D. C., June 21, 1955.

Hon. TOM MURRAY,  
Chairman, Committee on Post Office and Civil Service,  
House of Representatives.

DEAR MR. MURRAY: This is in reply to your request of June 21 for the Commission's views on H. R. 6590, a bill to prohibit the employment by the Government of the United States of persons who are disloyal or who believe in the right to strike against the Government of the United States, and for other purposes.

The bill would provide that no person shall accept or hold office or employment in the Government of the United States who (1) advocates the overthrow of our constitutional form of government in the United States; (2) is a member of an organization that advocates such overthrow, knowing that the organization so advocates; (3) participates in a strike against the Government; or (4) is a member of an organization that asserts the right to strike against the Government, knowing that the organization asserts such right. The bill further provides that every person who accepts office or employment in the Government shall, not more than 60 days later, execute an affidavit that his employment will not constitute a violation of the statute. Affidavits would not be required from persons employed for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property. Violation of the statute would constitute a

PROHIBITING EMPLOYMENT OF PERSONS WHO ARE DISLOYAL 3

felony punishable by a fine of not more than \$1,000 or imprisonment for not more than 1 year and a day, or both.

The bill would repeal section 612 of the Housing Act of 1949 (42 U. S. C. 1445); section 9A of the Hatch Act (5 U. S. C. 118j); and section 304 of the Labor Management Relations Act (29 U. S. C. 188). Section 612 of the Housing Act is substantially identical in its provisions to H. R. 6590, but is limited in its application to employment in the Housing and Home Finance Agency and the Department of Agriculture. Section 9A of the Hatch Act makes it unlawful for any person employed in the Government "to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States." The only penalty provided is removal from the service, with the provision that appropriated funds shall not thereafter be used to pay the compensation of such person. Section 304 of the Labor Management Relations Act forbids striking by Government employees, requires the discharging of an employee who strikes and the forfeiture of his civil-service status, if any, and makes him ineligible for employment for 3 years.

For some years provisions similar to the proposed legislation have appeared in appropriation acts each year. The Commission believes that H. R. 6590 represents desirable legislation, since it would put such legislation into permanent form, and would also consolidate and supersede the several statutes which now partially cover the subject.

Time has not permitted clearance of this report with the Bureau of the Budget. However, the Bureau advised it had no objection to our report on H. R. 617, a bill similar to H. R. 6590.

By direction of the Commission.

Sincerely,

PHILIP YOUNG, *Chairman.*

DEPARTMENT OF JUSTICE,  
OFFICE OF THE DEPUTY ATTORNEY GENERAL,  
*Washington, April 25, 1955.*

HON. TOM MURRAY,  
*Chairman, Post Office and Civil Service Committee,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 617) to prohibit the employment by the Government of the United States of persons who are disloyal or who believe in the right to strike against the Government of the United States, and for other purposes.

The bill would make it a felony for any person to accept or hold office or employment in the Government of the United States who (1) advocates the overthrow of that Government by force or violence, (2) is a member of an organization that advocates such overthrow, knowing that such organization advocates the same, (3) engages in a strike against the Government, or (4) is a member of an organization of Government employees that asserts the right to strike against the Government.

Section 2 (a) of the measure would provide for the execution, by persons accepting office or employment in the Government of the United States, of affidavits to the effect that their acceptance and holding of such office or employment does not or will not constitute a violation of the bill's prohibitions. Subsection (b) would exempt from the application of subsection (a) persons employed by the Government of the United States for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property. Such persons, however, would not be relieved of liability for a violation of the prohibitions contained in the bill. Section 4 would repeal section 612 of the Housing Act of 1949, a section which, with respect to officers or employees of the Housing and Home Finance Agency and the Department of Agriculture, contains provisions similar to those which would be provided for generally by this measure.

Whether or not this bill should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no comment. However, there are certain matters to which the attention of the committee is invited.

The prohibitions contained in section 1 of the bill are not new. Under existing law persons entering the employ of the United States are required to execute appointment affidavits which include certifications such as are contemplated by this bill. Likewise, various appropriation acts forbid the use of Government funds to pay officers or employees who fall within any of the categories enumer-

#### 4 PROHIBITING EMPLOYMENT OF PERSONS WHO ARE DISLOYAL

ated in section 1 and provide penalties for the use of Government funds in violation of such prohibitions. Illustrative of other legislation which is concerned with the problem to which the bill is addressed is section 118 (j) of title 5 of the United States Code which provides that it shall be unlawful for any person employed in any capacity by any agency of the Federal government whose compensation or any part thereof is paid from funds authorized or appropriated by any act of Congress to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States. Any person violating the provisions of the section shall be immediately removed from the position or office held by him and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person. Also, section 188 of title 29, United States Code, provides that it shall be unlawful for any individual employed by the United States or any agency thereof, including wholly owned Government corporations, to participate in any strike. If any individual employed by the United States or by any such agency strikes, he shall be discharged immediately from his employment and shall forfeit his civil-service status, if any, and for 3 years shall not be eligible for reemployment by the United States or any such agency.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,  
*Deputy Attorney General.*

C

84TH CONGRESS 1st Session	}	HOUSE OF REPRESENTATIVES	}	REPORT No. 1152
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PROHIBITING THE EMPLOYMENT BY THE GOVERNMENT OF THE  
UNITED STATES OF PERSONS WHO ARE DISLOYAL OR WHO PAR-  
TICIPATE IN OR ASSERT THE RIGHT TO STRIKE AGAINST THE  
GOVERNMENT OF THE UNITED STATES

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JULY 12, 1955.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. TUMULTY, from the Committee on Post Office and Civil Service,  
submitted the following

REPORT

[To accompany H. R. 6590]

The Committee on Post Office and Civil Service, to whom was  
referred the bill (H. R. 6590) to prohibit the employment by the  
Government of the United States of persons who are disloyal or who  
believe in the right to strike against the Government of the United  
States, and for other purposes, having considered the same, report  
favorably thereon with amendments and recommend that the bill,  
as amended, do pass.

AMENDMENTS

(1) The amendment to the text of the bill is as follows:

Page 2, line 3, after "any strike" insert "or asserts the right to  
strike".

The purpose of this amendment is to prevent the employment in  
the Federal Government of any person who asserts the right to strike  
against the Government or any agency thereof.

(2) The title of the bill is amended so as to read:

A bill to prohibit the employment by the Government of the United States of  
persons who are disloyal or who participate in or assert the right to strike against  
the Government of the United States, and for other purposes.

The purposes of this amendment are (1) to clarify the title of the  
bill and (2) to conform the title with the text of the bill as amended.

STATEMENT

This legislation will clarify and consolidate in a single, permanent,  
penal statute the rider reenacted each year in appropriation acts, as

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well as certain similar permanent provisions in existing law, which in effect prohibit the employment by the Government of (1) any person who advocates overthrow of our constitutional form of government or belongs to an organization that so advocates and (2) any person who strikes against the Government or belongs to an organization of Government employees that asserts the right to strike against the Government.

The appropriation rider first appeared in the Fourth Supplemental National Defense Appropriation Act, 1941, without the language relating to striking against the Government. With seven exceptions, it was repeated in each regular, deficiency, and supplemental appropriation act through May 18, 1946. The Third Urgent Deficiency Appropriation Act, 1946, broadened the rider to include any person who strikes against the Government or who is a member of an organization which asserts the right to strike against the Government. With three exceptions, the rider as thus broadened has been repeated in all subsequent regular, deficiency, and supplemental appropriation acts to date.

Existing law also contains three permanent provisions which are somewhat similar, in effect, to the appropriation rider. They are (1) section 612 of the Housing Act of 1949 (42 U. S. C., sec. 1445); (2) section 9A of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939 (5 U. S. C., sec. 118j), known as the Hatch Act; and (3) section 305 of the Labor-Management Relations Act, 1947, as amended (29 U. S. C., sec. 188), known as the Taft-Hartley Act.

Section 612 of the Housing Act of 1949 is repeated, in substance, in paragraphs 1 through 4, inclusive, of the first section of H. R. 6590.

Section 9A of the Hatch Act prohibits employment of persons who are members of—

any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

This provision is reenacted in paragraph 2 of the first section of H. R. 6590.

Section 305 of the Taft-Hartley Act requires the discharge of persons who strike against the Government. This is repeated in paragraph (3) of the first section of the bill.

Accordingly, since H. R. 6590 includes all of these provisions of existing law such provisions will be repealed.

Hearings were held at which representatives of the Civil Service Commission, the Department of Justice, and a number of Government employees' organizations appeared and testified favorably on H. R. 6590. There were no objections.

#### GENERAL ANALYSIS

The first section of the bill, as amended, will prohibit the employment in the Federal Government, or in any agency thereof, of any person who (1) advocates the overthrow of our constitutional form of government in the United States; (2) is a member of an organization that advocates overthrow of the Government, knowing of such advocacy; (3) participates in any strike against the Government or any such agency; (4) asserts the right to strike against the Government; or (5) belongs to an organization of Government employees

## PROHIBIT EMPLOYMENT OF DISLOYAL PERSONS

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that asserts the right to strike against the Government, or against such agencies, knowing that such organization asserts such right to strike.

Section 2 (a) of the bill requires that, except as provided in subsection (b), every person accepting Federal office or employment, within 60 days after entering on duty, shall execute an affidavit that in doing so he does not violate the first section of the bill. The affidavit will be prima facie evidence that there is no such violation.

Section 2 (b) provides that an affidavit will not be required from a person employed for less than 60 days for sudden emergency work involving the loss of life or destruction of property, but that this exception will excuse no one from liability for violation of the first section of the bill.

Section 3 makes any violation of the first section of the bill a felony, for which the penalty shall be a fine of not more than \$1,000 or imprisonment for not more than 1 year and a day, or both.

The favorable report of the Civil Service Commission and the report of the Department of Justice interposing no objections to a similar bill (H. R. 617) follow:

UNITED STATES CIVIL SERVICE COMMISSION,  
Washington, D. C., June 21, 1955.

HON. TOM MURRAY,  
Chairman, Committee on Post Office and Civil Service,  
House of Representatives.

DEAR MR. MURRAY: This is in reply to your request of June 21 for the Commission's views on H. R. 6590, a bill to prohibit the employment by the Government of the United States of persons who are disloyal or who believe in the right to strike against the Government of the United States, and for other purposes.

The bill would provide that no person shall accept or hold office or employment in the Government of the United States who (1) advocates the overthrow of our constitutional form of government in the United States; (2) is a member of an organization that advocates such overthrow, knowing that the organization so advocates; (3) participates in a strike against the Government; or (4) is a member of an organization that asserts the right to strike against the Government, knowing that the organization asserts such right. The bill further provides that every person who accepts office or employment in the Government shall, not more than 60 days later, execute an affidavit that his employment will not constitute a violation of the statute. Affidavits would not be required from persons employed for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property. Violation of the statute would constitute a felony punishable by a fine of not more than \$1,000 or imprisonment for not more than 1 year and a day, or both.

The bill would repeal section 612 of the Housing Act of 1949 (42 U. S. C. 1445); section 9A of the Hatch Act (5 U. S. C. 118j); and section 304 of the Labor Management Relations Act (29 U. S. C. 188). Section 612 of the Housing Act is substantially identical in its provisions to H. R. 6590, but is limited in its application to employment in the Housing and Home Finance Agency and the Department of Agriculture. Section 9A of the Hatch Act makes it unlawful for any person employed in the Government "to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States." The only penalty provided is removal from the service, with the provision that appropriated funds shall not thereafter be used to pay the compensation of such person. Section 304 of the Labor Management Relations Act forbids striking by Government employees, requires the discharging of an employee who strikes and the forfeiture of his civil-service status, if any, and makes him ineligible for employment for 3 years.

For some years provisions similar to the proposed legislation have appeared in appropriation acts each year. The Commission believes that H. R. 6590 represents desirable legislation, since it would put such legislation into permanent form, and would also consolidate and supersede the several statutes which now partially cover the subject.

PROHIBIT EMPLOYMENT OF DISLOYAL PERSONS

Time has not permitted clearance of this report with the Bureau of the Budget. However, the Bureau advised it had no objection to our report on H. R. 617, a bill similar to H. R. 6590.

By direction of the Commission.

Sincerely,

PHILIP YOUNG, *Chairman.*

DEPARTMENT OF JUSTICE,  
OFFICE OF THE DEPUTY ATTORNEY GENERAL,  
*Washington, April 25, 1955.*

HON. TOM MURRAY,  
*Chairman, Post Office and Civil Service Committee,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 617) to prohibit the employment by the Government of the United States of persons who are disloyal or who believe in the right to strike against the Government of the United States, and for other purposes.

The bill would make it a felony for any person to accept or hold office or employment in the Government of the United States who (1) advocates the overthrow of that Government by force or violence, (2) is a member of an organization that advocates such overthrow, knowing that such organization advocates the same, (3) engages in a strike against the Government, or (4) is a member of an organization of Government employees that asserts the right to strike against the Government.

Section 2 (a) of the measure would provide for the execution, by persons accepting office or employment in the Government of the United States, of affidavits to the effect that their acceptance and holding of such office or employment does not or will not constitute a violation of the bill's prohibitions. Subsection (b) would exempt from the application of subsection (a) persons employed by the Government of the United States for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property. Such persons, however, would not be relieved of liability for a violation of the prohibitions contained in the bill. Section 4 would repeal section 612 of the Housing Act of 1949, a section which, with respect to officers or employees of the Housing and Home Finance Agency and the Department of Agriculture, contains provisions similar to those which would be provided for generally by this measure.

Whether or not this bill should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no comment. However, there are certain matters to which the attention of the committee is invited.

The prohibitions contained in section 1 of the bill are not new. Under existing law persons entering the employ of the United States are required to execute appointment affidavits which include certifications such as are contemplated by this bill. Likewise, various appropriation acts forbid the use of Government funds to pay officers or employees who fall within any of the categories enumerated in section 1 and provide penalties for the use of Government funds in violation of such prohibitions. Illustrative of other legislation which is concerned with the problem to which the bill is addressed is section 118 (j) of title 5 of the United States Code, which provides that it shall be unlawful for any person employed in any capacity by any agency of the Federal Government whose compensation or any part thereof is paid from funds authorized or appropriated by any act of Congress to have membership in any political party or organization which advocates the overthrow of our constitutional form of Government in the United States. Any person violating the provisions of the section shall be immediately removed from the position or office held by him and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person. Also, section 188 of title 29, United States Code, provides that it shall be unlawful for any individual employed by the United States or any agency thereof, including wholly owned Government corporations, to participate in any strike. If any individual employed by the United States or by any such agency strikes, he shall be discharged immediately from his employment and shall forfeit his civil-service status,

PROHIBIT EMPLOYMENT OF DISLOYAL PERSONS

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if any, and for 3 years shall not be eligible for reemployment by the United States or any such agency.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,  
*Deputy Attorney General.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets):

SECTION 612 OF THE HOUSING ACT OF 1949

[GENERAL PROVISIONS]

[SEC. 612. No part of any appropriation, loan, fund, or expenditure authorized by or provided pursuant to this Act, shall be used directly or indirectly to pay the salary or wages of any officer or employee of the Housing and Home Finance Agency or the Department of Agriculture who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the officer or employee making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such officer or employee does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts an office or employment in the Housing and Home Finance Agency or the Department of Agriculture the salary or wages for which are paid from any appropriation, loan, fund, or expenditure authorized by or provided pursuant to this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.]

SECTION 9A OF THE ACT OF AUGUST 2, 1939

[SEC. 9A. (1) It shall be unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation, or any part thereof, is paid from funds authorized or appropriated by any Act of Congress, to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

[(2) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person.]

PROHIBIT EMPLOYMENT OF DISLOYAL PERSONS

SECTION 305 OF THE LABOR MANAGEMENT RELATIONS ACT, 1947

STRIKES BY GOVERNMENT EMPLOYEES

[SEC. 305. It shall be unlawful for any individual employed by the United States or any agency thereof including wholly owned Government corporations to participate in any strike. Any individual employed by the United States or by any such agency who strikes shall be discharged immediately from his employment, and shall forfeit his civil service status, if any, and shall not be eligible for reemployment for three years by the United States or any such agency.]

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